



002250-196

## SUBSTITUTE SPECIFICATION

Filed September 22, 2004

### BOTANICAL COMMERCIAL CLASSIFICATION

*Rosa hybrida*/Shrub Rose Plant

### VARIETAL DENOMINATION

cv. 'BAIeam'

### Summary of the Invention

The new variety of *Rosa hybrida* landscape shrub rose plant was created at Yamhill, Oregon during 1994 by artificial pollination wherein two parents were crossed which previously had been studied in the hope that they would contribute the desired characteristics. The female parent (*i.e.*, the seed parent) was the hybrid *Rosa kordesii* 'INTERlav' variety (United States Plant Patent No. 5,916). The 'INTERlav' variety is marketed under the LAVENDER DREAM trademark. The male parent (*i.e.*, the pollen parent) was the 'Henry Kelsey' variety (non-patented in the United States). The 'Henry Kelsey' originated at the Morden Research Station, Winnipeg, Canada. The parentage of the new variety can be summarized as follows:

'INTERlav' × 'Henry Kelsey'.

**SUBSTITUTE SPECIFICATION**

Filed September 22, 2004

The seeds resulting from the above pollination were sown and plants were obtained which were physically and biologically different from each other.

Selective study resulted in the identification during 1996 of a single plant of the new variety having the distinctive ornamental characteristics hereafter described.

It was found that the new variety of the present invention:

- (a) exhibits a compact and bushy growth habit,
- (b) abundantly forms on a continuous basis in clusters attractive semi-double rich fuschia blended with dark pink blossoms,
- (c) forms attractive glossy dark green foliage when mature that initially bears a tint of red-purple,
- (d) displays excellent tolerance to Black Spot and Powdery Mildew; and
- (e) is particularly well suited for growing as attractive ornamentation in parks and gardens.

The young red-purple flower buds open to rich fuschia blended with dark pink blooms that fade to medium pink. The aging petals commonly detach cleanly and do not detract from the attractiveness of the blooms. The new variety is a tough shrub rose with good hardiness.

**SUBSTITUTE SPECIFICATION**

Filed September 22, 2004

The new variety well meets the needs of the horticultural industry and can be grown to advantage in the landscape where attractive ornamentation is desired.

The distinctive blossoms are displayed throughout the season. The plant can be grown as a specimen or as a mass planting.

The new variety can be readily distinguished from its ancestors. For instance, the blossoms of the 'INTERlav' variety are deep lilac pink and the blossoms of the 'Henry Kelsey' variety are medium red in coloration.

The new variety also can be readily distinguished from the 'SPEvu' variety (non-patented in the United States) and the 'Meipoque' variety (United States Plant Patent No. 5,956). More specifically, the 'SPEvu' variety commonly achieves a greater height of approximately 80 cm at the end of the growing season, and forms double deep pink blossoms having a greater diameter of approximately 3 cm. Also, the 'Meipoque' variety commonly assumes a greater height of approximately 1.5 m at the end of the growing season and forms much larger blossoms having a diameter of approximately 5 cm that are medium pink with a white eye on the obverse and medium pink on the reverse.

**SUBSTITUTE SPECIFICATION**

Filed September 22, 2004

The new variety has been found to undergo asexual propagation by budding on an understock and by the rooting of cuttings. 'Dr. Huey' rootstock was used during the budding. Such asexual propagation by these techniques at Yamhill, Oregon, St. Paul, Minnesota, and at Phoenix, Arizona has shown that the characteristics of the new variety are stable and are strictly transmissible by such asexual propagation from one generation to another. The new variety grows well on its own roots.

Initially the new plant was designated 94A922-1L. The new variety subsequently has been named the 'BAIeam' variety, and currently is being marketed while using the DAYDREAM trademark.

**Brief Description of the Photographs**

The accompanying photographs show as nearly true as it is reasonably possible to make the same in a color illustrations of this character, typical specimens of the new variety. The rose plants of the new variety had been propagated by the rooting of cuttings, were approximately two and three years of age, and were being grown outdoors at St. Paul, Minnesota and at Yamhill, Oregon.

**SUBSTITUTE SPECIFICATION**

Filed September 22, 2004

FIG. 1 illustrates typical blossoms in various stages of opening and foliage of the new variety. Clusters of attractive semi-double rich fuschia blended with dark pink blossoms are shown.

FIG. 2 illustrates a close view typical fully open flowers of the new variety.

**Detailed Description**

The chart used in the identification of the colors is that of the Royal Horticultural Society (R.H.S. Colour Chart). Common color terms are to be accorded their ordinary dictionary significance. The description is based on the observation of two and three year-old plants while grown outdoors on their own roots during June and July 2002 and 2003 at St. Paul, Minnesota, and May 2003 at Phoenix, Arizona.

BOTANICAL CLASSIFICATION:      *Rosa hybrida*, var. 'BAIeam'.

CLASS:              Landscape Shrub.

PLANT:

*height*              --              approximately 60 cm on average at the end  
of the growing season.

*habit* — compact, rounded, and bushy.

*color* -- *young stems*: Yellow-Green Group 144A.

-- *adult wood*: commonly between Yellow-Green Group 146B and 146C with highlights of Greyed-Purple Group 184A.

-- bearing the smaller bristles/prickles and thorns are more common on younger stems, and there commonly are few or no thorns on most adult branches.

- 6 -

## SUBSTITUTE SPECIFICATION

Filed September 22, 2004

## LEAVES:

- stipules* -- generally parallel with the auricle facing outward.
- petioles* -- *upper surface*: Yellow-Green Group 147A.  
-- *under surface*: Yellow-Green Group 146C and tinted with Greyed-Purple Group 184A and 184B.
- leaflets* -- *number*: 3, 5 (most often), and 7.  
-- *shape*: ovate with a rounded base and an acuminate tip.  
-- *serration*: serrulate.  
-- *texture*: bears a glossy finish.  
-- *general appearance*: dark green with a glossy surface when mature.  
-- *color (young foliage)*:  
*upper surface*: Yellow-Green Group 146A and 146B with highlights of Greyed-Purple Group 184A.

**SUBSTITUTE SPECIFICATION**

Filed September 22, 2004

*under surface:* Yellow-Green Group 146B  
with highlights of Greyed-Purple Group  
184A.

-- *color (adult foliage):*

*upper surface:* Yellow-Green Group 147A.

*under surface:* Yellow-Green Group 147B  
with highlights of Greyed-Purple Group  
184B.

**INFLORESCENCE**

*number of  
flowers*

-- commonly approximately 12 blooms on  
average per cluster.

*peduncle*

-- Yellow-Green Group 144A and 144B with  
highlights of Greyed-Purple Group 184A  
in coloration, and the length is  
approximately 2.25 cm on average.

*sepals*

-- *upper surface:* commonly Green Group  
143C with stripe of Greyed-Purple Group  
184C in coloration.



## SUBSTITUTE SPECIFICATION

Filed September 22, 2004

- *under surface*: Yellow-Green Group 148C  
with some pubescence.
- *size*: approximately 10 mm in length.
- buds*
  - *shape*: generally rounded.
  - *size*: small.
  - *length*: approximately 1.0 cm on average.
  - *diameter*: approximately 0.5 cm on  
average.
  - *color*:  
*upper surface*: blend of Red-Purple Group  
60B and 60C.  
*under surface*: blend of Red-Purple Group  
60A and 60B.  
*basal petal spot*: Green-White Group  
157A.
- flower*
  - *shape*: semi-double and somewhat  
informal.
  - *diameter*: approximately 2.5 cm on  
average.

**SUBSTITUTE SPECIFICATION**

Filed September 22, 2004

- *color (when opening begins):*  
*upper surface:* Red-Purple Group 64B  
blending with Red-Purple Group 64D.  
*under surface:* Red-Purple Group 64A  
blending with Red-Purple Group 64C.
- *color (when blooming):*  
*upper surface:* Red-Purple Group 67C  
blending with Red-Purple Group 67D.  
*under surface:* Red-Purple Group 64C  
blending with Red-Purple Group 63D.
- *color (at end of blooming):*  
*upper surface:* Red-Purple Group 73C  
blending with Red-Purple Group 73D and  
75D.  
*under surface:* Red-Purple Group 64D  
blending with Red-Purple Group 70C.
- *color (basal petal spot):*  
Green-White Group 157B.
- *fragrance:* slight sweet rose.

**SUBSTITUTE SPECIFICATION**

Filed September 22, 2004

- *lasting quality*: the blossoms commonly last approximately 3 to 5 days on average depending upon the temperature and sunlight exposure.
- *petal number*: approximately 11 on average under normal growing conditions.
- *petal shape*: wedge-shaped commonly with a curled apex when fully open.
- *petal drop*: commonly the petals detach cleanly at full blossom maturity.
- *anthers*: Greyed-Orange Group 163A in coloration.
- *filament number*: commonly approximately 45 on average.
- *filament color*: Yellow Group 11A in coloration.
- *pistils*: approximately 21 on average.
- *stigmas*: Greyed-Orange Group 165C in coloration.

**SUBSTITUTE SPECIFICATION**

Filed September 22, 2004

- *styles*: Greyed-Orange Group 165C in coloration.
- *receptacle*: separate and free with achenes at the bottom and center.
- *hip shape*: ovoid.
- *hip size*: approximately 10 mm in length and approximately 8 mm in width.
- *seeds*: dark brown in coloration and approximately 3 mm in length.

**DEVELOPMENT**

- |                               |    |  |
|-------------------------------|----|--|
| <i>vegetation</i>             | -- | vigorous, and compact.   |
| <i>blooming</i>               | -- | abundant on strong canes and continuous throughout the season. |
| <i>resistance to diseases</i> | -- | excellent tolerance to Black Spot, and Powdery Mildew.         |
| <i>hardiness zone</i>         | -- | U.S.D.A. Hardiness Zone Nos. 4 to 7.                           |